

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Second Bail Application No.
11568/2020

Anil Wadhwa S/o Shri Atmaram Wadhwa, Aged About 44 Years,
R/o L-17A/5 Dlf Phase-2 Gurgaon Haryana Presently Director Of
Divya Aashirvad Properties Private Limited And Director Jalsa
Infrastructure Private Limited Jaipur Raj. (Presently Lodged In
Central Jail At Jaipur)

-----Petitioner

Versus

State Of Rajasthan, through PP

-----Respondent

For Petitioner(s)	:	Mr. Suresh Kumar Sahni through VC Mr. Ram Mohan Sharma through VC
For Respondent(s)	:	Mr. Mangal Singh Saini, PP

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Judgment / Order

30/09/2020

1. Petitioner has filed this second bail application under Section 439 Cr.P.C.
2. F.I.R. No.388/2016 was registered at Police Station Malviya Nagar, Jaipur, for offence under Sections 420, 406, 467, 468, 471 R/W 120-B I.P.C.
3. It is contended by counsel for the petitioner that petitioner is in custody since June, 2019. Petitioner entered into a Builder Buyer Agreement with the Complainant. Petitioner along with Amit Bansal took up property for development. Various agreements were entered into between the developers and purchasers but due to inter-se dispute, work could not be completed. It is contented

that the first bail was rejected on the ground that petitioner is involved in money laundering case.

4. It is argued that petitioner has been given benefit of bail in the money laundering case and the only allegation in the said case is that petitioner and his wife took a loan of Rs. 3,24,50,000/- from the main accused. It is also contended that RIICO has given a letter that the constructions are being raised in accordance with the plan and there is no violation of the building by laws. It is also contended that offence is triable by First Class Magistrate.

5. Learned Public Prosecutor has opposed the second bail application.

6. I have considered the contentions.

7. Considering the contentions put forth by counsel for the petitioner, I deem it proper to allow the second bail application.

8. This second bail application is, accordingly, allowed and it is directed that accused-petitioner shall be released on bail provided he furnishes a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac only) together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the satisfaction of the trial Court with the stipulation that he shall appear before that Court and any Court to which the matter be transferred, on all subsequent dates of hearing and as and when called upon to do so.

(PANKAJ BHANDARI),J